

in that law lately made and provided the said Barnard became chargeable to pay to the said William the said sum in the said note contained according to the tenor of that note and he being thereof chargeable in consideration thereof afterwards to wit the said fourth day of August in the year 1738: at the County of Wm. promised to pay the same to the said William according to the tenor of that note Nevertheless the said Barnard his promise afo. in form afo. made not regarding but minding and fraudulently ^{intending} the said William in that part craftily and subtilly to deceive and defraud the said sum in the said note mentioned according to the tenor of that note to the said William did not pay but that to do altogether hath refused and still doth refuse altho: there is afterwards to wit on the second day of January in the year 1741: at the County of Wm. and often since that time by the said William required whereupon the said William says he is the worse ten pounds Court money of Maryland and thereof he brings suit &c. . . .

Wm. Bledges & J. Gos and G. Gos.

A Copy of the foregoing declaration was made and sent to be served on the Deft: with the writ in the plea afo. . . At which day here came the afo. William Rowly by his attorney afo. and the sheriffs to wit John Handy Gent: now here returned that he had taken the afo. Barnard Ramsey whose body hereat this day he had ready to answer the afo. William Rowly of the afo. plea as to him it was commanded. and further the same sheriffs returned that he had served the afo. Barnard Ramsey with a copy of the foregoing declaration according to act of assembly in such case made and provided &c.

Whereupon came hereinto Court certain Thomas Lambden and Smith Mills both of Somerset County in their proper persons and undertook and each of them undertook for the said Barnard Ramsey (likewise the said Barnard Ramsey present herein Court in his proper person assumed upon himself) that if it should happen that Judgment in the plea afo. should be rendered for the same William against the said Barnard or that he the said Barnard should be therein convicted that then he the said Barnard should pay and satisfy unto the said William the Judgment of the Court thereupon or render his body in execution of such Judgment to the prison of the sheriffs of the County afo. in satisfaction thereof or that he the same Thomas Lambden and Smith Mills will do the same for him &c.

And the afo. Barnard Ramsey by William Arbuckle his attorney comes and defends the force and Injury when &c. and saith that he cannot deny the action afo. of the afo. William Rowly nor but that he did assume upon himself in manner and form as the afo. William above against him hath complained and as to the damage of the same William by him by occasion of the premises in that part sustained the said Barnard saith and acknowledgeth that the afo. William hath sustained damages by occasion of the premises beyond his costs and charges

by